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October 1, 2004

**BY CERTIFIED MAIL -**  
**RETURN RECEIPT REQUESTED**

Raymond A. Nuzzo, Esq.  
The Law Offices of Raymond A. Nuzzo LLC  
579 Thompson Avenue  
East Haven, CT 06512

RE: U.S. Patent Application 09/848,473  
Your Reference: TPG 1400  
Our Reference: A9658/74846

Dear Mr. Nuzzo:

My name is David Mixon and I am a patent attorney with Bradley Arant Rose & White LLP. My firm represents Mr. Douglas Okuniewicz in intellectual property matters. Mr. Okuniewicz is the inventor and owner of U.S. Patent 6,585,589 entitled "LOTTERY GAMES/GAMING DEVICE INTERFACE" (hereafter the '589 Patent).

It has recently come to our attention that the '589 Patent has been cited as a reference against your pending application. In attempting to overcome the '589 Patent as a reference, you stated in your response of July 19, 2004 that "Okuniewicz is not Prior Art to the new claims 50 - 57 and should be withdrawn by the Examiner". This statement was based on the effective filing date of the '589 Patent as it appeared. However, the '589 Patent had an error in claiming its effective filing date. Specifically, the '589 Patent was a continuation-in-part of an Application filed on December 19, 1997 which itself was a continuation-in-part of another Application filed on February 7, 1997.

This information has been corrected by a Certificate of Correction that has been recently issued by the U.S. Patent Office. For your convenience I have enclosed a copy. As you can see, the corrected effective filing date of the '589 Patent is now February 7, 1997. Consequently, based on this corrected information, the '589 Patent is a valid prior art reference with respect to your application.

I am writing this letter to you in hope that you will bring this information to the attention of the Examiner and correct the record as required under 37 C.F.R. § 1.59 regarding your duty of disclosure of information material to patentability. We apologize for any inconvenience that this

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may have caused you or your client, but we felt it was important to both correct the record of the '589 Patent as well as the prosecution of your pending application.

If you have any questions, please contact me.

Best regards,

A handwritten signature in black ink, appearing to read "D. Mixon", with a long horizontal stroke extending to the right.

David E. Mixon, Esq.

DEM/tt  
Enclosure  
cc: Mr. Douglas Okuniewicz (w/o encl.)